



NEWS RELEASE

CALIFORNIA SECRETARY OF STATE **BRUCE McPHERSON**

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Secretary of State Bruce McPherson Issues Directives to Counties For Special Statewide Election

*Elections Officials are Directed to Implement Measures to Ensure Voter Confidence and
Integrity of Upcoming Election*

Sacramento, CA --- Secretary of State Bruce McPherson today issued directives to county elections officials to implement additional measures to ensure security, accessibility and accuracy for the November 8 Special Statewide Election.

"It is essential in a democracy for voters to have confidence in the accuracy, reliability, and security of the equipment upon which votes are cast," said Secretary McPherson. "The purpose of these conditions for use of voting systems in California is to provide the means and measures by which those essential goals can be carried out."

The California Elections Code in Division 19 provides for the approval and use of voting systems throughout the State of California. The conditions issued by Secretary McPherson implement the provisions of Division 19 for all elections held during the remainder of 2005. The attached document was issued to counties today.

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SECRETARY OF STATE

CONDITIONS FOR USE OF VOTING SYSTEMS IN CALIFORNIA

September 16, 2005 – December 31, 2005

It is essential in a democracy for voters to have confidence in the accuracy, reliability and security of the equipment upon which votes are cast. The purpose of these conditions for use of voting systems in California is to provide means and measures by which those essential goals can be accomplished. The California Elections Code in Division 19 provides for the approval and use of voting systems throughout the State of California. This document implements the provisions of Division 19 for all elections held during the remainder of 2005. As of January 1, 2006, additional provisions of federal and state election laws become effective with regard to security and accessibility of voting systems.

The Secretary of State has determined that the following conditions need to be in effect for elections held during the remainder of 2005:

1. Security Plans: At least 29 days before the November 8, 2005 Special Statewide Election (Oct. 10), the Secretary of State shall review all election observer, physical security, and communication plans, as applicable, on file from counties and may require updates to any such plans to be filed by the counties no later than 15 days before the November 8, 2005 Special Statewide Election (Oct. 24). After the November 8, 2005 Election, the Secretary of State shall convene a working group of designated Secretary of State staff and county election officials to prepare a best practices report/model plans that can be used by counties to improve security and communications in future elections.
2. Modifications to Voting Systems: Any request by a county election official or voting equipment vendor for a change or modification to a certified voting system (hardware or software) after September 23, 2005(E-46) shall only be considered by the Secretary of State if the requested change is deemed necessary to assure the accuracy and/or efficiency of the voting system.
3. Back-up Ballots: Any direct record electronic (DRE) voting system that is certified for use in California with an electronic provisional ballot module may use this module for casting of provisional ballots in accordance with the adopted procedures for the voting system or, alternatively, may use paper provisional ballots. All county election officials shall have an adequate supply of paper ballots, as determined by the election official, available at the voting locations for use in the event of a power failure or, where applicable, temporary loss of the ability to use electronic equipment, or if a voter chooses not to vote on electronic equipment. These ballots may be cast as provisional ballots.

4. Parallel Monitoring: The Secretary of State shall conduct “parallel monitoring” in conjunction with the November 8, 2005 Special Statewide Election to validate the accuracy of DRE voting systems. The Secretary of State shall establish, coordinate and fund this program in a similar manner to the parallel monitoring programs conducted in conjunction with the March and November 2004 elections. Results of the parallel monitoring will be posted on the Secretary of State’s website and released by general news release as soon as available.
5. Disability Access Devices: In counties where disability access devices are used, counties shall instruct poll workers to connect such audio headsets or hand-held keypads to the voting units prior to the time the polls open.
6. Posting Results: For counties using DRE voting systems, a copy of the results from each voting unit that is capable of printing the results shall be posted for public inspection at the close of polls.
7. Security: No component of a DRE voting system shall be connected at any time to the Internet. No component of a DRE voting system shall be permitted to receive official results through the public telephone system nor shall official election results be transmitted or received through wireless communication. This restriction does not apply to semi-official canvass results transmitted on election night.
8. Tampering Penalties Posted: Counties shall post at each polling place, in applicable languages, a notice regarding the penalties for tampering with any component of the voting system in use. The Secretary of State shall provide to counties sample language and/or posters to meet this requirement.

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